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DIVISION OF
OIL GAS & MINING

DOGDM
MINERALS PROGRAM
FILE COPY

3809
UT054
UT-054-92-01P

December 19, 1991

Ron Day
Rancho Equipment Services
P.O. Box 576
279 East Main
Delta, UT 84624

Dear Mr. Day:

Your Plan of Operations to conduct mining related operations on Topaz Calcium #7 and #8 claims, BLM serial numbers, 343280 and 343281 in T. 13 S., R. 11 W., Sec.21, was received on November 18, 1991. After initial screening your plan was found to be complete as per 43 CFR 3809.1-5 and has been assigned case file number UT-054-92-01P. Please use this number in any future correspondence concerning this plan. Pending approval of your plan, your previous notice for mining related operations, serial number UT-054-91-06N will be administratively closed and combined into this plan.

It has been determined that our office will require an additional sixty (60) days, beginning December 19, 1991 to complete the Environmental Assessment and mandatory public comment period for your plan.

We would like to set up a meeting with you or your representatives to address some technical questions that have arisen concerning your plan of operations. This meeting will facilitate the processing of your plan and should help to eliminate any delays in reaching a final decision.

We are of the preliminary opinion that the deposit which you have claimed is common variety and as such is not open to location. The proper procedure for mining and disposal of this material is through 43 CFR 3600, mineral material sales wherein you would relinquish your claims and sign a contract with the Bureau of Land Management for the sale of units of material at a specified price. We will gladly provide you with information regarding mineral material sales.

If you are convinced that your deposit is locatable, please be aware the Interior Board of Land Appeals has held that limestone must contain 95 percent or more calcium and magnesium carbonates for it to be locatable as either a chemical grade, metallurgical grade, or of a grade suitable for the production of cement.

Should a final determination by the Department of Interior be made that this material is, in fact, "common variety", you could be responsible to the United States for the value of this material, damage to the land, and the administrative costs of recovering such compensation.

A copy of your plan has been sent to the Utah Division of Oil, Gas and Mining (DOGM). Reclamation under this notice is required to conform to the standards of the Utah Mined Land Reclamation Act. Also, all mining claimants and operators that plan to use, store, or divert water are required by Utah statute to notify the Utah Department of Water Resources at:

1636 West North Temple
Salt Lake City, Utah 84108

Your plan is accepted with the condition that you make a full disclosure of all hazardous materials, their use, storage, transport, quantity, generation and disposal prior to the analysis of impacts and authorization of activity. Information regarding hazardous materials can be obtained from the State of Utah, Department of Environmental Quality, Division of Solid and Hazardous Waste at:

288 North 1460 West
Salt Lake City, Utah 84114-4880

As required by 43 CFR 3809, Surface Management Regulations, reasonable measures must be taken to prevent unnecessary or undue degradation of public lands during your operations. Please notify this office upon completion of operations and reclamation, so an inspection may be conducted on the site.

Thank you for submitting your plan. If you have any questions regarding this letter, please feel free to contact Rody Cox, team leader at (801) 743-6811.

Sincerely,
SIGNED

Rex Rowley
Area Manager

cc: Michael Jackson, RDO
D. Wayne Hedberg, UDOGM
J. L. Shields, 318 South 300 West
Delta, UT 84624

RC:cbf